

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB18

Hearing Date: Wednesday January 18, 2017
Committee On: Health and Human Services
Introducer: Kolterman
One Liner: Change licensure and scope of practice for dental assistants and dental hygienists

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Mark Kolterman
Jessica Meeske
Cynthia Cronick
Karen Fiala

Representing:

Introducer
Nebraska Dental Association
Nebraska Dental Assistants Association
Nebraska Dental Hygienists Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 18 will expand the allowable scope of practice for dental assistants and dental hygienists in accordance with a 407 process completed in September 2015. LB 18 delineates three new licenses: licensed dental assistant, expansion for dental assistant and expansion for dental hygienist.

The bill would provide, section by section, as follows:

Section 1: Amends 38-1101 of the Dentistry Practice Act to include the sections of this act

Section 2: Amends 38-1102 to include the sections of this act

Section 3: Defines accredited dental assisting program

Section 4: Amends 38-1107 defining a dental assistant

Section 5: Defines licensed dental assistant

Section 6: Defines expanded function dental assistant and references the applicable licensure requirement

Section 7: Defines licensed dental hygienist

Section 8: Defines expanded function dental hygienist and references the applicable licensure requirement

Section 9: Amends 38-1116 to clarify language for the requirements for dentists to become licensed under the Dentistry Practice Act. Adds references to supervision requirements for dentists over the newly created credentials listed in the sections above and also references the new credentials in defining what constitutes the unauthorized practice of dentistry in an educational clinic setting.

Section 10: Sets out the requirements to become a licensed expanded function dental hygienist including presenting proof of 1,500 hours of experience as a licensed dental hygienist as well as educational and testing criteria. The board may require continuing education.

Section 11: Sets out the requirements to become a licensed dental assistant including either graduation from an accredited dental assisting program or 1,500 hours of experience working as a dental assistant in the last five years, as well as educational and testing criteria. The board may require continuing education.

Section 12: Sets out the requirements to become an expanded function dental assistant including 1,500 hours of experience working as a license dental assistant in the last five years as well as educational and testing criteria. The board may require continuing education.

Section 13: Amends 38-1119 to add references to dental assisting

Section 14: Amends 38-1121 regarding dental hygienists licensed in another state, to address the reciprocal licensure requirements for dental assistants who move to Nebraska who previously practiced in other states and require the applicants to have been actively working for at least three years.

Section 15: Requires dentist's offices to post the permits of expanded function dental assistants or expanded function dental hygienists.

Section 16: Amends 38-1130 regarding the scope of practice for dental hygienists, to clarify they can perform duties of a non-licensed dental assistant, reorganized the scope, to expand their scope for additional techniques, including fluoride treatments, restorations and denture adjustments, if they have completed necessary education and testing.

Section 17: Amends 38-1131 to add procedures to the list of those a licensed dental hygienist may perform

Section 18: Amends 38-1132 to allow licensed dental hygienists to administer nitrous oxide under the indirect supervision of a licensed dentist.

Section 19: Allows DHHS to promulgate rules and regulations to expand the scope of practice for licensed dental assistants.

Section 20: Amends 38-1135 to allow dentists, public institutions and schools to employ licensed dental assistants and expanded function dental assistants. Strikes the allowance for hygienists. Expands what dental assistants may do, and lists what licensed dental assistants and expanded function dental assistants may do, under the supervision of licensed dentists and what dentists are allowed to delegate to dental assistants in accordance with the rules and regulations promulgated for this Act.

Section 21: Amends 38-1136 to allow dentists, public institutions and schools to employ licensed dental hygienists and expanded function dental hygienists. Makes licensure requirements for both credential types

Section 22: Allows expanded function dental hygienist to perform all procedures a licensed dental hygienist may perform. Adds restorative procedures to the expanded dental hygienists scope of practice.

Section 23: Repeals original sections.

Merv Riepe, Chairperson